

JUL 02 2001

BEFORE THE FEDERAL ELECTION COMMISSION

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COMMISSION
SECRETARIAT

2001 JUL -2 P 3:53

In the Matter of)
the Cook 2000 Re-election Committee)
and Camille Cook, as treasurer,)
Representative Merrill A. Cook,)
and Cook Associates, Inc.)

MUR 4621

SENSITIVE

GENERAL COUNSEL'S REPORT #4

I. ACTIONS RECOMMENDED

Accept the attached signed counterproposed conciliation agreement with the Cook 2000 Re-election Committee and Camille Cook, as treasurer, Merrill A. Cook and Cook Associates, Inc. ("respondents") and close the file in this matter.

II. BACKGROUND

On January 3, 2001, the Federal Election Commission ("Commission") found reason to believe that the Cook 2000 Re-election Committee, and Camille Cook, as treasurer ("the Committee"), Representative Merrill A. Cook and Cook Associates, Inc. violated 2 U.S.C. § 441b of the Federal Campaign Act of 1971, as amended ("FECA" or "Act"), during the 1996 election cycle. Previously, the Commission had found reason to believe that the Committee and its treasurer¹ may have violated 2 U.S.C. § 434(b), first, by failing to properly report the Committee's disbursements and debts owed to the campaign's primary management consultant and fund-raiser, the R.T. Nielson Company ("Nielson"), and second, by failing to appropriately

¹ During the 1996 election cycle, the committee's name was the Cook for Congress Committee and its treasurer was Avis Lewis. In March of 1997, the Committee notified the Commission, via the filing of an amendment to its Statement of Organization, that its name was being changed to the Cook 98 Re-election Committee. On March 15, 1999, the Commission was informed via an amendment to its Statement of Organization that the Committee's name was being changed to the Cook 2000 Re-election Committee. In June of 1999, notice was received that Camille Cook, wife of Merrill A. Cook, was replacing Avis Lewis as treasurer.

report a disputed debt with an advertising agency, Phillips, Twede & Spencer, Inc. ("PTS").

The respondents were notified of the Commission's actions on January 9, 2001.

As an initial response, Mr. Cook fired the designated counsel for the Committee and thereafter represented all the respondents himself. He submitted a seventeen page single-spaced response on February 12, 2001, and has made numerous additional submissions since then. The materials submitted by Mr. Cook contained a number of new legal and factual contentions.

respondents finally submitted a counterproposed agreement that this Office believed it could recommend to the Commission. That agreement is attached hereto. (Attachment 1) No check for the civil penalty has been received.

III. DISCUSSION OF CONCILIATION AGREEMENT

21.04.405.2341

21-04-405-2342

21-04-05-2343

21.04.405.2344

21-04-405-2345

21.04.405.2346

21-04-405-2347

21.04.405.2348

Based on the foregoing, this Office recommends that the Commission accept the attached agreement with the Cook 2000 Re-election Committee and Camille Cook, as treasurer, Merrill A. Cook and Cook Associates, Inc. and close the file in this matter.

IV. RECOMMENDATIONS

1. Accept the attached counterproposed conciliation agreement with the Cook 2000 Re-election Committee and Camille Cook, as treasurer; Merrill A. Cook; and Cook Associates, Inc.
2. Close the file.
3. Approve the appropriate letter.

Lois G. Lerner
Acting General Counsel

7/2/01
Date

Abigail A. Shaine
By: Abigail A. Shaine
Acting Associate General Counsel

Attachments:

1. Conciliation Agreement
2. Financial Documentation

Staff assigned: Marianne Abely



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *Red*

DATE: July 2, 2001

SUBJECT: MUR 4621 - General Counsel's Report #4

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

SENSITIVE

☒

NON-SENSITIVE

☐

72 Hour TALLY VOTE ☒

24 Hour TALLY VOTE ☐

24 Hour NO OBJECTION ☐

INFORMATION ☐

96 Hour TALLY VOTE ☐

DISTRIBUTION

COMPLIANCE

☒

Open/Closed Letters

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MUR

☐

DSP

☐

STATUS SHEETS

☐

Enforcement

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Litigation

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PFESP

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RATING SHEETS

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AUDIT MATTERS

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LITIGATION

☐

ADVISORY OPINIONS

☐

REGULATIONS

☐

OTHER

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21.04.405.2350




FEDERAL ELECTION COMMISSION

Washington, DC 20463

MEMORANDUM

TO: Lois Lerner
Acting General Counsel

FROM: Office of the Commission Secretary 

DATE: July 9, 2001

SUBJECT: MUR 4621 - General Counsel's Report
dated July 2, 2001.

The above-captioned document was circulated to the Commission
on Tuesday, July 3, 2001.

Objection(s) have been received from the Commissioner(s) as
indicated by the name(s) checked below:

Commissioner Mason —

Commissioner McDonald —

Commissioner Sandstrom —

Commissioner Smith —

Commissioner Thomas —

Commissioner Wold —

XXX FOR THE RECORD

11-04-405-2351